

# Daily Digest

## HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 1047, Miscellaneous Trade and Technical Corrections Act.

Senate agreed to the conference report to accompany H.R. 1350, Individuals with Disabilities Education Act.

The House agreed to the conference report to accompany H.R. 1350, Individuals with Disabilities Education Improvement Act of 2004.

## Senate

### Chamber Action

*Routine Proceedings, pages S111595–S11663*

**Measures Introduced:** Fourteen bills and seven resolutions were introduced, as follows: S. 12, 3008–3020, S. Res. 474–478, and S. Con. Res. 150–151.

Pages S11639–40

#### Measures Reported:

S. 2393, to improve aviation security, with amendments. (S. Rept. No. 108–417)

S. 2541, to reauthorize and restructure the National Aeronautics and Space Administration, with amendments. (S. Rept. No. 108–418)

S. 1153, to amend title 38, United States Code, to permit medicare-eligible veterans to receive an out-patient medication benefit, to provide that certain veterans who receive such benefit are not otherwise eligible for medical care and services from the Department of Veterans Affairs, with an amendment in the nature of a substitute. (S. Rept. No. 108–420)

S. 1380, to distribute universal service support equitably throughout rural America.

S. 1963, to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services, with an amendment in the nature of a substitute.

S. 2145, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, with an amendment in the nature of a substitute.

S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-

Internet-protocol applications, with an amendment in the nature of a substitute.

S. 2505, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM service, with an amendment.

S. 2644, to amend the Communications Act of 1934 with respect to the carriage of direct broadcast satellite television signals by satellite carriers to consumers in rural areas, with an amendment in the nature of a substitute.

S. 2820, to ensure the availability of certain spectrum for public safety entities by amending the Communications Act of 1934 to establish January 1, 2009, as the date by which the transition to digital television shall be completed, and for other purposes, with amendments.

Page S11639

#### Measures Passed:

**National Adoption Month:** Senate agreed to S. Res. 474, to express support for the goals of National Adoption Month by promoting national awareness of adoption, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children.

Pages S11520–23

**Condemning Laos Human Rights Abuses:** Senate agreed to S. Res. 475, to condemn human rights abuses in Laos.

Pages S11554–55

**Osage Tribe:** Senate passed H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government, clearing the measure for the President.

Page S11566

***Snake River Water Rights Act:*** Senate passed S. 2605, to direct the Secretary of the Interior and the heads of other Federal agencies to carry out an agreement resolving major issues relating to the adjudication of water rights in the Snake River Basin, Idaho, after agreeing to the committee amendment in the nature of a substitute.

Pages S11566–72

***Native American Capital Formation and Economic Development Act:*** Senate passed S. 519, to determine the feasibility of establishing an Indian Tribal Development Corporation, after agreeing to the committee amendment in the nature of a substitute.

Pages S11572–77

***Tribal Parity Act:*** Senate passed S. 1530, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, after agreeing to the committee amendments.

Page S11577

***Oglala Sioux Tribe Angostura Irrigation Project Rehabilitation and Development Act:*** Senate passed S. 1996, to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program, after agreeing to the committee amendment in the nature of a substitute.

Pages S11577–79

***Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act:*** Senate passed S. 1438, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S11579–84

Craig (for Campbell) Amendment No. 4068, to make clear that land transferred under the bill shall remain part of the Lake Roosevelt National Recreation Area.

Page S11584

***Trust Fund Lawsuit:*** Committee on Indian Affairs was discharged from further consideration of S. Res. 248, expressing the sense of the Senate concerning the individual Indian money account trust fund lawsuit, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto:

Page S11584

Craig (for Campbell) Amendment No. 4069, in the nature of a substitute.

Page S11584

Craig (for Campbell) Amendment No. 4070, to amend the preamble.

Page S11584

***Harmful Algal Bloom Authorization:*** Senate passed S. 3014, to reauthorize the Harmful Algal

Bloom and Hypoxia Research and Control Act of 1998.

Pages S11584–86

***Training for Realtime Writers Act:*** Senate passed S. 480, to provide competitive grants for training court reporters and closed captioners to meet requirements for real-time writers under the Telecommunications Act of 1996.

Pages S11586–87

***Recognizing Battle of the Bulge 60th Anniversary:*** Senate passed H.J. Res. 110, recognizing the 60th anniversary of the Battle of the Bulge during World War II, clearing the measure for the President.

Page S11653

***National Prematurity Awareness Month:*** Senate agreed to S. Res. 476, supporting the goals, activities, and ideals of National Prematurity Awareness Month.

Page S11653

***Enrollment Correction:*** Senate passed H. Con. Res. 524, directing the Clerk of the House of Representatives to make certain corrections to the enrollment of H.R. 1350.

Page S11660

***United States Vision in the Middle East:*** Senate agreed to S. Res. 477, expressing the sense of the Senate in support of a reinvigorated United States vision of freedom, peace, and democracy in the Middle East.

Pages S11660–61

***Irish Peace Process Cultural and Training Program Act:*** Committee on Foreign Relations was discharged from further consideration of H.R. 2655, to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998, after agreeing to the following amendment proposed thereto:

Sessions (for Lugar) Amendment No. 4071, in the nature of a substitute.

Pages S11661–62

***United States District Court Authority:*** Committee on the Judiciary was discharged from further consideration of S. 2873, to extend the authority of the United States District Court for the Southern District of Iowa to hold court in Rock Island, Illinois, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Sessions (for Leahy) Amendment No. 4072, to provide for additional places of holding court.

Page S11662

***National Sex Offender Database Registration:*** Committee on the Judiciary was discharged from further consideration of S. 2154, to establish a National sex offender registration database, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Sessions (for Dorgan) Amendment No. 4073, in the nature of a substitute.

Pages S11662–63

**Displaced Staff Members:** Senate agreed to S.Res.478, relating to displaced staff members of Senators and Senate leaders. **Page S11663**

**109th Congress Convening Date:** Senate agreed to H.J. Res. 111, appointing the day for convening of the first session of the One Hundred Ninth Congress, clearing the measure for the President. **Page S11663**

**Miscellaneous Trade and Technical Corrections Act—Conference Report:** By unanimous-consent, Senate agreed to the conference report to accompany H.R. 1047, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, clearing the measure for the President. **Pages S11516–20, S11523–33, S11555**

During consideration of this measure today, Senate also took the following action:

By 88 yeas to 5 nays (vote No. 214), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the conference report. **Page S11520**

**Individuals with Disabilities Education Act—Conference Report:** Senate agreed to the conference report to accompany H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, clearing the measure for the President. **Pages S11653–60**

**Nominations Discharged:** Committee on Foreign Relation was discharged from further consideration of the following nominations which were then placed on the Executive Calendar:

Routine lists in the Foreign Service. **Page S11594**

**Messages From the House:** **Page S11633**

**Enrolled Bill Presented:** **Page S11634**

**Executive Communications:** **Pages S11634–39**

**Executive Reports of Committees:** **Page S11639**

**Additional Cosponsors:** **Pages S11640–41**

**Statements on Introduced Bills/Resolutions:** **Pages S11641–51**

**Additional Statements:** **Pages S11628–33**

**Amendments Submitted:** **Pages S11651–53**

**Record Votes:** One record vote was taken today. (Total—214) **Page S11520**

**Adjournment:** Senate convened at 9:31 a.m. and adjourned at 8:24 p.m., until 11 a.m., on Saturday, November 20, 2004 (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11594.)

## Committee Meetings

(Committees not listed did not meet)

### IMPROVISED EXPLOSIVE DEVICES

**Committee on Armed Services:** Committee met in closed session to receive a briefing regarding the nature of the evolving Improvised Explosive Devices threat from Brigadier General Joseph Votel, USA, Director of the Department of Defense Improvised Explosive Device Task Force, who was accompanied by several of his associates.

### BUSINESS MEETING

**Committee on Armed Services:** Committee ordered favorably reported six nominations in the Army and Air Force.

### BUSINESS MEETING

**Committee on Commerce, Science, and Transportation:** Committee ordered favorably reported the nominations of Jonathan Steven Adelstein, of South Dakota, to be a Member of the Federal Communications Commission, Ernest J. Wilson III, of Maryland, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Claudia Puig, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Gay Hart Gaines, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Harold Jennings Creel, Jr., of South Carolina, to be a Federal Maritime Commissioner, James S. Simpson, of New York, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, and sundry nominations for promotion in the U.S. Coast Guard.

# House of Representatives

## Chamber Action

**Measures Introduced:** 26 public bills, H.R. 5393–5418; and; 8 resolutions, H.J. Res. 114; H. Con. Res. 524–527, and H. Res. 863–865 were introduced.

Pages H10078–79

**Additional Cosponsors:**

Pages H10079–80

**Reports Filed:** Reports were filed today as follows:

H.R. 1662, to amend the Endangered Species Act of 1973 to require the Secretary of the Interior to give greater weight to scientific or commercial data that is empirical or has been field-tested or peer-reviewed, amended (H. Rept. 108–785);

H.R. 2933, to amend the Endangered Species Act of 1973 to reform the process for designating critical habitat under that Act, amended (H. Rept. 108–786);

H.R. 5104, to amend the Marine Mammal Protection Act of 1972 to authorize appropriations for the John H. Prescott Marine Mammal Rescue Assistance Grant Program (H. Rept. 108–787);

H.R. 5134, to require the prompt review by the Secretary of the Interior of the long-standing petitions for Federal recognition of certain Indian tribes, amended (H. Rept. 108–788);

H.R. 2801, to establish a digital and wireless network technology program, amended (H. Rept. 108–789, Pt. 1);

H.R. 3283, to improve recreational facilities and visitor opportunities on Federal recreational lands by reinvesting receipts from fair and consistent recreational fees and passes, amended (H. Rept. 108–790, Pt. 1);

H.R. 2440, to improve the implementation of the Federal responsibility for the care and education of Indian people by improving the services and facilities of Federal health programs for Indians and encouraging maximum participation of Indians in such programs, amended (H. Rept. 108–791, Pt. 1);

Conference report to accompany H.R. 4818, an act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes (H. Rept. 108–792).

Pages H10071, H10077–78, H10235–H10887

**Rule for consideration of suspensions:** The House agreed to H. Res. 859, providing for consideration of motions to suspend the rules, by voice vote.

Pages H10003–05

**Individuals with Disabilities Education Improvement Act of 2004—Conference Report:** The House agreed to the conference report to accompany

H.R. 1350, to reauthorize the Individuals with Disabilities Education Act, by a yeas-and-nays vote of 397 yeas to 3 nays, Roll No. 537.

Pages H10006–22

Agreed to H. Con. Res. 524, authorizing a technical correction in the enrollment of the bill.

Page H10022

H. Res. 858, the rule providing for consideration of the conference report, was agreed to by voice vote.

Page H10010

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**American History and Civics Education Act of 2004:** H.R. 5360, amended, to authorize grants to establish academies for teachers and students of American history and civics;

Pages H10023–24

**Directing the Secretary of the Senate to make corrections in the enrollment of S. 150:** S. Con. Res. 146, to direct the Secretary of the Senate to make corrections in the enrollment of the bill S. 150;

Pages H10024–25

**Internet Tax Nondiscrimination Act:** S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act—clearing the measure for the President;

Pages H10025–29

**Amending title 5, U.S. Code, regarding Thrift Savings Plans:** H.R. 4324, amended, to amend title 5, United States Code, to eliminate the provisions limiting certain election opportunities available to individuals participating in the Thrift Savings Plan;

Pages H10033–34

Agreed to amend the title so as to read: to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time.

Page H10034

**Comprehensive Peace in Sudan Act of 2004:** S. 2781, amended, to express the sense of Congress regarding the conflict in Darfur, Sudan, to provide assistance for the crisis in Darfur and for comprehensive peace in Sudan;

Pages H10034–42

**YMCA Retirement Fund:** H.R. 5365, to treat certain arrangements maintained by the YMCA Retirement Fund as church plans for the purposes of certain provisions of the Internal Revenue Code of 1986; and

Pages H10042–44

**Amending the Social Security Act with regard to Medicare part B premiums:** S. 2618, to amend title XIX of the Social Security Act to extend medicare

cost-sharing for the medicare part B premium for qualifying individuals through September 2005—clearing the measure for the President.

Pages H10053–54

**Suspensions—Proceedings Postponed:** The House began consideration of the following measures under suspension of the rules. Further proceedings were postponed.

**Recognizing the Boy Scouts of America:** H. Res. 853, recognizing the Boy Scouts of America for the public service the organization performs for neighborhoods and communities across the United States; and

Pages H10029–33

**Promoting the development of the emerging commercial human space flight industry:** H.R. 5382, to promote the development of the emerging commercial human space flight Industry. Pages H10045–53

**Recess:** The House recessed at 2:49 p.m. and reconvened at 7:28 p.m.

Page H10053

**Petrified National Forest Boundary Adjustment:** The House agreed to take from the Speaker's table and agree to the Senate amendment to H.R. 1630, to revise the boundary of the Petrified Forest National Park in the State of Arizona. Pages H10054–55

**Visiting Nurses Association Week:** The House agreed to take from the Speaker's table and agree to S. Con. Res. 8, expressing the sense of Congress that there should be established a National Visiting Nurses Association Week.

Page H10055

**Donald Brotzman Post Office Building Designation Act:** The House agreed to discharge the Committee on Government Reform from consideration of and pass H.R. 5370, to designate the facility of the United States Postal Service located at 4985 Moor-

head Avenue in Boulder, Colorado, as the "Donald G. Brotzman Post Office Building".

Page H10055

**Honoring the life of Leroy Gordon Cooper, Jr.:** The House agreed to discharge the Committee on Science from consideration of and agree to H. Res. 847, honoring the life of astronaut Leroy Gordon Cooper, Jr.

Pages H10055–56

**Recess:** The House recessed at 9:53 p.m. and reconvened at 12:18 a.m.

Page H10071

**Senate Message:** Message received from the Senate today appears on pages H10005–06.

**Senate Referrals:** S. 1217 was referred to the Committee on Energy and Commerce; and S. Con. Res. 123 and S. Con. Res. 149 were held at the desk.

Pages H10006, H10072

**Quorum Calls—Votes:** One yea-and-nay vote developed during the proceedings of today and appears on page H10022. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 12:19 a.m.

## Committee Meetings

No committee meetings were held.

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### COMMITTEE MEETINGS FOR SATURDAY, NOVEMBER 20, 2004

(Committee meetings are open unless otherwise indicated)

#### Senate

No meetings/hearings are scheduled.

#### House

No committee meetings are scheduled.

*Next Meeting of the SENATE*

11 a.m., Saturday, November 20

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Saturday, November 20

## Senate Chamber

**Program for Saturday:** Senate will be in a period of morning business. Also, Senate expects to consider the Omnibus Appropriations Conference Report and the National Intelligence Reform Conference Report when available.

## House Chamber

**Program for Saturday:** To be announced.



# Congressional Record

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